

## REFORM CROWD IN WAR PAINT

NATIONAL CIVIL SERVICE RE-  
FORM LEAGUE STRIKES.

Allege That the McKinley Admin-  
istration Has Not Been Doing the  
Square Thing by the Civil Service  
Act of 1883—Schedule of Com-  
plaints with Statistical Trimmings.

By Exclusive Wire from The Associated Press.

New York, Dec. 18.—The committee of the National Civil Service Reform League appointed to investigate the condition of the Federal civil service, and the enforcement of the reform law and rules under the present administration, has made public its report and conclusions.

In enacting the civil service law, in 1883, the committee shows, congress intended that the system should ultimately embrace the entire subordinate executive service, or, as the senate committee declared in reporting the bill, "all that vast number of appointed officials who carry into effect the orders of the president \* \* \* whose duties do not change with a change of administration, and who have nothing to do with framing the political policies of the government." Section 1 of the act made provision for a gradual extension of the system, through the action of the president and heads of departments, until this end might be effected.

From the date of the passage of the act, until May 29, 1899, this extension continued almost without interruption, each president making important additions to the classified list and strengthening the rules to guard against evasion. The latest of these additions had been in effect for about a year when the present administration came into power, but by far the greater part of the work necessary to the completion of the reform remained to be done. With this fact in view the Republican party, at its convention in 1896, had "renewed its repeated declarations not only that the law should be thoroughly and honestly enforced, but that it should be extended wherever practicable."

**Law Dishonestly Enforced.**  
The committee reports, however, that, while in many of the branches that have been longest classified, the system has been unimpaired and has continued to produce excellent results, it cannot be said that the law has been "thoroughly and honestly enforced," while, with the exception of the start made in the establishment of rules for the Philippine service, covered in a separate report to the league—conspicuous and unique opportunities for its extension, where clearly "practicable," have deliberately been set aside.

The progress of the reform, in its application to the Federal service, has, in brief, been seriously checked. That this is at variance with the declared purposes of President McKinley, and with his professed wishes for the welfare of the service while under his control, is recognized and the committee earnestly recommends that the facts be submitted to the president for his consideration.

On March 3, 1897, approximately 86,000 positions were in the classified service, while 92,000, including 5,000 presidential officers, several thousand laborers, and other miscellaneous classes, and the great army of fourth-class postmasters, remained unclassified.

It might naturally have been expected that proper compliance with the law and recognition of its principles, on the part of both congress and the heads of departments, would, at this stage, have secured through competition of almost all the greater number required for service in offices and positions of the sort, that are classified. The committee, however, from the data it has at hand, reports surprisingly different results. During the first year following the order of May 29, 1899, that ended on June 1 last, the appointments made within these classes were as follows:

THROUGH COMPETITIVE TESTS.	
Appointments from competitive eligible lists	4,640
WITHOUT COMPETITIVE TESTS.	
Appointments to excepted positions, not subject to examination	254
Appointments to excepted positions, subject to "non-competitive" examination	890
Appointments under "temporary" certificates	22,242
"Temporary" appointments made permanent without examination	973
Reinstatements without examination	1,170
Transfers of unexamined persons within the service	107
Unexamined persons having "special qualifications"	7
Appointments to clerical positions in the departments under the war appropriation act	1,200
Appointments to clerical positions in the census office	2,400
Total	31,553
*Full returns for last month of 1899 lacking.	

These figures, the committee contends, show that the "exceptions" from the requirements of the civil service law, whether brought about through executive legislative action, have been, during the year they cover, almost twice as numerous as appointments made in the manner the law intended.

The committee gives the following summary of the general course of the administration and of the present congress in relation to the civil service:

### Presidential Appointments.

I. So far as the committee has been able to learn, appointments of the local federal officers of the presidential class have been controlled almost exclusively by senators and representatives, or unofficial political leaders, whose selection the president has ratified. While 700 men are not infrequently secured through this system, in the majority of cases those appointed are active local politicians, whose disposition to provide places for their adherents furnishes a serious obstacle to the satisfactory administration of the civil service rules at the outset. Among presidential officers in the general branches—including business officers, clerks, and not those that are properly political—the changes have been almost universal. In the consular service, for instance, more than 90 per cent. of the salaries officers were re-elected after the change of administration, and in the Indian service, during the same period, 62 per cent. of the agents.

### Changes in "Excepted" Positions.

II. Positions in the classified service excepted from competitive examinations are virtually unclassified, for removals may be made from them without restraint, and appointments are also made at the will of the appointing officer. The number of these positions has been greatly increased. On March 3, 1897, at the close of the preceding administration, there were, all told, only 866, of which number 570 were of assistant postmasters. On July 27, 1897, President McKinley added 323, deputies and others in the customs and internal revenue services, previously subject to competitive examination, and on May 29, 1899, approximately 4,000 more, in addition to the number removed absolutely from the classified service at that time.

III. As the classified service has grown, it has

been observed that violations of the civil service law, both now and heretofore, have occurred most frequently in the branches most recently included. After the change of March 3, 1897, there were many irregular appointments in the classes brought under the rules a year, or three years before, and not a few in the branches longer established, coupled very frequently with irregular removals. These were mainly in the internal revenue service, the land office service, the government printing office, the field forces of the department of justice, and the pension bureau and in certain of the customs house and post-offices—notably at the post office in Philadelphia. The civil service commission addressed repeated protests to the department concerned in these violations, but in hardly an instance with satisfactory results. The records of their investigations, which the committee has examined carefully, cover 127 pages of their fourteenth report, 114 of the fifteenth and sixty-seven of the sixteenth. On Sept. 17, 1897, the league addressed a letter directly to the president, inviting attention to the growing number of offenses and asking that measures be taken to stop them. When the rules had been most flagrantly disregarded, the dismissal of the guilty officer was urged, and the examples of this sort made by President Cleveland were removed, and the same was done in the case of the Philadelphia post office. In the great majority of cases, however, there was no correction—except in so far as the appointment was not made in the manner the law prescribed. The federal commission assumed that the same rule applied, of necessity, at Washington, and three years ago asked the secretary of the treasury to aid in establishing a proper system of audit, failing to secure that officer's cooperation, lists of persons known to be illegally in office were sent to the comptroller, Mr. Tracy, with the request that he either remove or suspend them, or that he should be notified of the violation, although the commission, under date of Dec. 12, 1898, wrote to him: "A state of anarchy in the appointments obtains at the department, concerning the honor of the administration of the civil service act. With the information given you by the commission, which is capable of easy verification in case of the slightest doubt, concerning the facts, can you not take official cognizance of the matter?" Mr. Tracy did not answer this communication, but on April 1, following, gave a remarkable opinion, addressed to a United States marshal, to the effect that, even though the civil service act declares that "no officer or clerk shall be appointed" to a classified position except in conformity with the terms of an appointment otherwise made, it is not illegal; that the civil service rules have no force except as the executive or head of department chooses to give them; and that all persons who have been appointed in violation of the law will be assumed to be regularly appointed, the civil service commission's denial notwithstanding. This decision, although directly opposed to the wishes of the senate, and the salary of the civil service commission, is a serious obstacle to the enforcement of the law, for, as the statistics of the commission show, many appointments continue to be made in compliance with the law, the full number are not so made, and that may never be reported, remains quite unknown and undetermined. The two following ready instances show what can now be done: In the report of appointments in the postoffice department for June, 1899, there appeared the names of twenty-four persons under the head of "temporary clerks appointed under act of congress, approved February, 1899." The act in question merely gave the right to appoint, and did not exempt from civil service examination. This was promptly explained to Assistant Postmaster General Heller, but the latter remains unmoved, while the clerks are retained.

### Restraint on Irregular Appointments Deliberately Removed.

V. One of the most serious features of the situation is that, no matter how plainly or how frequently appointments may be made in violation of the law, the civil service commission is powerless to prevent them. The commission may protest to the department involved, or appeal from its decision to the president, but, failing to secure relief from either of these authorities, it is obliged to permit important and high-salaried offices of postoffice inspectors, a proceeding which has been made easily possible by the change in the transfer rule contained in the president's order of May, 1899.

### Evasion of the Rules.

VI. While direct violations of the rules have been more or less common, indirect evasions have been more so. "Temporary appointments" are an instance in point. Under the rules, persons may be appointed without examination for ninety days' temporary service, in the absence of an eligible list, for emergency work. It is required that these shall be permitted only when the civil service commission has given its certificate that there is no adequate list. In practice the certificate is given without examination, and the appointments are made at pleasure, and without inquiry as to the state of the lists, continued indefinitely, and reported as long afterwards as the appointing officer chooses. This practice, however, has grown alarmingly. During the thirteenth month following the amended rules of May 6, 1896, 729 temporary appointments were authorized, and during the eleven months from June 1, 1897, to May 31, 1898, 2,205, of which not more than eighty were authorized by the commission in any manner. The figures do not include war department appointments in either case. In many instances appointing officers failed to assist the civil service commission when called on in preparing examinations to secure permanent appointments, and in others, when lists were actually prepared, they have refused to appoint from them.

Another common method of evasion is the appointment of persons (generally women) as "clerks," which case examination is not required, and their assignment immediately to du-

ties of a higher class. "Excepted" places are also used to bring persons surreptitiously into the competitive service, as in the San Francisco custom house where the principal deputy was made chief clerk, and the son of the collector appointed, without examination, to the vacancy, only to change places with the deputy when it came to the assignment of duties.

The postoffice department has adopted a device for evasion that the committee deems peculiarly reprehensible. When a small postoffice is about to be given up, delivery (which of itself brings the office force into the classified service), persons are brought from other cities, and even from other states, to take positions in such office just before they enter the free delivery class, to be transferred immediately afterward to the office for which they are really destined, thus evading examination altogether. Nearly a hundred appointments of this sort have already occurred, despite the earnest protest of the civil service commission. Five of these so appointed (presumably without the least examination) have been transferred to the department and high-salaried offices of postoffice inspectors, a proceeding which has been made easily possible by the change in the transfer rule contained in the president's order of May, 1899.

### The "War Emergency" Appointments.

VI. On the plea that the civil service commission had no means of meeting the emergencies growing out of the war with Spain, and that further appointments without examination were made in different departments under special provisions in the war appropriation acts, there is no means of securing exact figures. These appointments have not been reported to the commission, and the league's request for access to the proper records in the treasury department has been denied. On Aug. 1, 1899, however, the number was known to be at least 1,042. At the time of these appointments there were on the commission's list of eligibles 6,180 names, so that practically the entire force required might have been selected therefrom in two or three days. The subsequent appropriation bills making provision for this force the exemption from examination has been invariably repeated, although the adequacy of the commission's machinery has been clearly explained to respective congressional committees. Any clerk may now be appointed without examination if it is certified that "the necessity for his employment arises out of the war with Spain."

### The Census Force.

VII. Although Carroll D. Wright, administrator of the census, informed congress that

more than 85,000,000 had been added to the list of the tenth census by reason of the failure to select the working force through the merit system, this system was again deliberately set aside in the taking of the present census, and, though the heads of bureaus have been efficient and well-tried men, otherwise the methods adopted in the former census, which proved such a costly failure, were followed almost exactly. The test required, which were of the "pass" description, probably debased the absolutely unfit, but the benefit of open competition was lost, and, as the process of selecting clerks and other subordinates continued, only persons considered by a senator's representative were endorsed at all.

### The Order of May 29, 1899.

VIII. It was while the state of the service was as low as the committee declares, that the president's order of May 29, 1899, was issued. That order and its effects are to be reviewed in a separate report. It is stated in connection with the present report, however, that it removed from the competitive list the "excepted" list about 4,000 places, and from the classified to the unclassified service about 8,000 more; that it validly demoted nominally many appointments previously made in violation of the law, and weakened the rules governing transfers, reappointments, and removals, so as to permit new and serious abuses; and, finally, that it marked the first real reduction in the actual area of the merit system.

The committee presents this review of what it considers a very unfortunate situation, not only

that the action of the president may be added where he has the power to correct, but that every other necessary step may be taken to regain the ground that has been lost, and again to turn the direction of the reform towards the ends the framers and advocates of the civil service law had in view.

### Valley Brakeman Killed.

By Exclusive Wire from The Associated Press.  
Special Dispatch to The Tribune.  
Pittston, Dec. 18.—James McDermott, of Port Griffith, a Lehigh Valley brakeman, was killed at 11:30 o'clock tonight in the Coxton yards. He was run over by a switch engine and his life was instantly crushed out.

### Killed by an Erie Express.

By Exclusive Wire from The Associated Press.  
Strophiana, Pa., Dec. 18.—Theodore Whitney, an old resident, was, this afternoon, struck by an Erie railroad express train and instantly killed. He was a family man, he was a veteran of the civil war.

### New Minister to Turkey.

By Exclusive Wire from The Associated Press.  
Washington, Dec. 18.—The president today nominated John C. A. Leishman, of Pennsylvania, now minister to Switzerland, to be United States minister to Turkey.

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## This Store

Will be open every evening until Christmas. Many people find it more convenient at this time of the year to shop in the evening.



## THE LARGEST AND MOST COMPLETE DISPLAY

Of Sensible Christmas Novelties can only be found in this store in this city—the largest because we have five double floors to display it on; the most complete because our buyers have been searching the markets for the past three months. Their success depends upon your judgment. We believe as in the past our selections will meet with your approval. Many novelties have been made to our special order because we could not get our standard quality in any other way.

See the exclusive designs and fine qualities we show in Holiday Gifts.

Every present you buy here is packed neatly in a white enamel box.

## Our Windows

Will suggest to you many novelties that are useful. About 150 feet of display that will interest both old and young.



## What Shall I Buy Him

### Other Suggestions

Smoking Jackets—the most comfortable present for a gentleman. See the beautiful color effects and cloth designs we show from \$4 to \$15.  
Fluffers in new Dresden and Lyons silks. A beautiful selection to choose from. 50c to \$2.  
Umbrellas—Silver mounted, put up in an enamel box. A very useful present for any gentleman. From \$2 to \$5.  
Neckwear—A grand showing of beautiful silk effects, put up one in a box. 50c to 75c.  
Driving Gloves—in all kinds of furs, seal, sable or possum, lamb's wool lined, English and American make. A very useful present that would please you at this time of the year. \$2.50 to \$12.



## Our Children's And Boys' Department

Most mothers prefer that their boys have latest style as well as good cloth quality. No store could pay more attention to the vital importance of cloth quality. We realize that the boy customer of today is the man customer of the future, and the ever increasing patronage of this department shows that our system is popular with mothers of healthy boys. A pretty Novelty Suit or a warm Overcoat would be a lasting and serviceable present. One double floor for the display of this department. See the holiday novelties we display in our show windows from \$2 to \$5.50.



## Ready-to-Wear-Suits

### With the Military Shoulder

The shoulders of every well made custom coat this season are a trifle broader than before. It's the liberal lines that fashion calls for in the new style. It takes skill to model such clothes, and the men tailors who handle our ready-to-wear system have served their time on custom work—we wouldn't have any other. See the new cloth weaves in ready to wear suits that have been added to our regular stock according to quality... \$10 to \$18.

## Holiday Novelties that are Useful

Bath or Lounge Robes—We are showing this year a very large and selected assortment of this comfortable garment, beautiful colorings in woven swansdown or llama cloth. This would please him to \$3 to \$8.50.  
Silk Suspenders in French or Dresden design, with gold or silver plated buckles, put up one in a box. 50c to 75c.  
Silk Handkerchiefs—Lyons silk worked initial, 1/2 dozen in box, would make a useful present. 50c.  
Cuff Buttons or Links—The manufacturer has sent us some very new and novel designs in cuff links and buttons for this holiday season, and the same quality, we believe, will cost you as much again at any jewelry store, from 50c to \$2.50.  
Gents' Pajamas—This comfortable night dress is becoming more popular every year. A suitable holiday gift to any gentleman.  
Boys' Leggings—The newest in Boys' Leggings is a rich wine colored or blue velvet. Present the boy with a pair; they'll please him.

# SAMTER BROTHERS,

Scranton's Leading Outfitters to Men and Boys.